

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CHRISTOPHER YSAIS,

Plaintiff,

vs.

No. CIV 07-0287 JB/RLP

BILL RICHARDSON, in his official capacity as Governor, State of New Mexico, and as an individual; MARY-DALE BOLSON, in her capacity as Cabinet Secretary of the Department of Children Youth and Family, State of New Mexico, and as an individual; KAREN PRICE, in her official capacity as Agency Head, and as an individual; DAVID MONTOYA, in his capacity as a Supervisor of CYFD and as an individual; JULIE BODENNER, in her capacity as a supervisor of CYFD, and as an individual; JENNIFER LYNN, as an employee of CYFD, and as an individual; THE STATE OF NEW MEXICO; SECOND JUDICIAL DISTRICT COURT; THE SECOND JUDICIAL DISTRICT COURT FAMILY CLINIC DIVISION; BETH ROTH, in her capacity as Supervisor of the Family Court Clinic, and as an individual; TERRY ASHCOM, in her capacity as an employee of the Family Court Clinic, and as an individual; DIANN SHEPPARD, in her capacity as an employee of the Family Court Clinic, and as an individual; THE CITY OF RIO RANCHO; THE CITY OF RIO RANCHO POLICE DEPARTMENT; CHRIS PINO, in his capacity as an investigative sergeant of the Rio Rancho Police Department, and as an individual; JEFF CHAVEZ, in his capacity as a Rio Rancho Police Officer, and as an individual; BRIAN LINK, as a Detective in the Rio Rancho Police Department, and as an individual; ABRAZOS, INC.; ELIZABETH SIMS, in her capacity as an employee of Abrazos, and as an individual; JANE DOE 1, in her capacity as an employee of Abrazos, and as an individual; JOHN DOE 1, in his capacity as an employee of Abrazos, and as an individual; PRESBYTERIAN HOSPITAL, INC.; MARY DENTZ, in her capacity as a Nurse Practitioner employed by Presbyterian Hospital, and as an individual; DR. KAREN WALSH, in her capacity as a Doctor employed by Presbyterian Hospital, and as an individual; THE UNIVERSITY OF NEW MEXICO HOSPITAL; DR. CAROL CLERICUZIO, in her capacity as an employee of the University of New Mexico Hospital, and as an individual; DR. JUDITH LEDMAN, in her capacity as an employee of the University of New Mexico Hospital, and as an individual; RIO RANCHO PUBLIC SCHOOLS; SHINING STARS PRE-SCHOOL; JOAN HROMAS, in her capacity as an employee of the Rio Rancho Public Schools, and as an individual; THE THIRTEENTH JUDICIAL DISTRICT ATTORNEY'S OFFICE; CARLOS ELIZANDO, in his capacity as Assistant District Attorney, and as an individual; JODY CARRASCO, in her capacity as an employee of the Thirteenth Judicial District Attorney's Office, and as an individual; MEMORABLE MOMENTS DAYCARE; TAMMY ROSEN, in her capacity as owner of Memorable Moments Daycare, and as an individual; COZY DAYCARE; DONNA EARL,

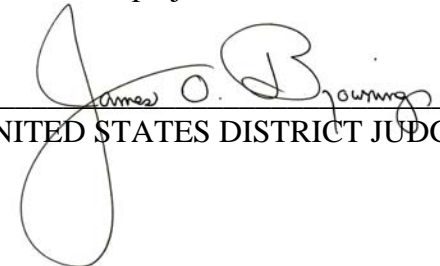
in her capacity as owner of Cozy Daycare and as an individual; DR. GAYLE ZIEMAN, in his capacity as a contractor with the Second Judicial District Court Family Clinic, HAVEN HOUSE, and as an individual; CONSUELO LEYBA, as an individual; and ANTHONY LEYBA, as an individual,

Defendants.

FINAL JUDGMENT

THIS MATTER comes before the Court on pro se Defendant Consuelo (Angela) Leyba's Request to the Honorable James O. Browning to Please Excuse Ms. Angela Leyba From Further Hearings Pertaining to/Brought by Chris Y. Ysais, filed December 11, 2008 (Doc. 492), which the Court has noticed the parties that it will construe as a motion to dismiss or for summary judgment, see Order, filed December 17, 2008 (Doc. 493). The Court, having granted the motion and having dismissed the claims against Defendant Consuelo (Angela) Leyba, finds that, pursuant to rule 54(b) of the Federal Rules of Civil Procedure, there is no just reason to delay entry of judgment. The Court finds that Final Judgment should and will be entered in favor of Leyba and against Plaintiff Christopher Ysais. This Final Judgment adjudicates all existing federal claims and liabilities of Ysais and Leyba. The Court declines to exercise jurisdiction over any potential state claims and they are dismissed without prejudice.

IT IS HEREBY ORDERED that Final Judgment is entered in favor of Defendant Consuelo (Angela) Leyba and against Plaintiff Christopher Ysais on all federal claims. All federal claims are dismissed with prejudice. All state claims are dismissed without prejudice.


UNITED STATES DISTRICT JUDGE

Counsel and Parties:

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